## OFFICIAL PROCEEDINGS OF THE ST. MARY PARISH COUNCIL OF THE PARISH OF ST. MARY, STATE OF LOUISIANA

MAY 27, 2020 FRANKLIN, LOUISIANA

The St. Mary Parish Council met on this date in Regular Session with Chairman Dean S. Adams presiding and the following members present: Rev. Craig A. Mathews, J Ina, Rodney Olander, Scott Ramsey, Leslie "Les" Rulf, Jr., Patrick J. Hebert, James W. Bennett, Jr., Mark A. Duhon, Gwendolyn L. Hidalgo, and Kristi Prejeant Rink, M.D.

The Invocation was pronounced by Mr. Hebert and the Pledge of Allegiance was led by Rev. Mathews.

Mr. Olander moved that the reading of the minutes of the First Regular Meeting, May 13, 2020, be dispensed with and that the same is approved. Mrs. Hidalgo seconded the motion, which carried.

Consolidated Gravity Drainage District No. 2 Chairman, Lee Dragna appeared before the Council and thanked them for their support during his time served on the board.

In response to Mr. Dragna's inquiry, Mr. Hanagriff expounded on the operation process of Consolidated Gravity Drainage District No. 2 and Gravity Drainage District No. 6 during the transition period of Consolidated Gravity Drainage District No. 2A. He also stated that he will contact bond attorney, Jason Akers, Foley & Judell, L.L.P. to submit a written statement that Consolidated Gravity Drainage District No. 2 and Gravity Drainage District No. 6 can continue to operate until the transition is complete.

In response to Mr. Ramsey's inquiry, Mr. LaGrange explained procedures of introduction of ordinances and expounded on the content of the proposed amendment to Ordinance No. 2216 which was adopted on April 22, 2020 relative to the creation of the Consolidated Gravity Drainage District No. 2A.

Rev. Mathews expounded on the death of George Floyd in Minneapolis.

Parish President, David Hanagriff reported that St. Mary Parish has had 30 COVID-19 related deaths and that Oschner St. Mary Hospital currently has one (1) positive COVID-19 patient; Franklin Foundation Hospital has 6 positive COVID-19 patients, all from Legacy of Franklin Nursing Home.

Mr. In aencouraged Administration to continue to communicate with each other during the COVID-19 pandemic and the upcoming hurricane season.

Mr. Hanagriff reported that the Port of Morgan City held its first Virtual Hurricane Preparedness meeting on May 26, 2020 and expounded on items discussed.

Chief Administrative Officer, Henry "Bo" LaGrange, presented his report for a two (2) week period ending May 27, 2020.

Item 1 in Mr. LaGrange's report stated, "Mr. Jeff Duhe, U. S. Census Bureau Louisiana Coordinator, has written to provide an update as of May 20, 2020 on the response to the 2020 Census in St. Mary Parish. Nationally, there has been a 59.5% self-response rate and in Louisiana the self-response rate is now at 54.5%. St. Mary Parish as a whole has improved its self-response rate from 44.1% to 47.4%, ranking St. Mary Parish 42<sup>nd</sup> amongst the 64 parishes. The response rates by municipality has increased since May 4<sup>th</sup> as follows:

a.	Morgan City	53.1% is now 54.1%
b.	Franklin	52.7% is now 53.7%
c.	Patterson	41.1% is now 42.3%
d.	Berwick	57.7% is now 58.8%
e.	Baldwin	15.7% is now 16.3%

Mr. Duhe asks that we continue to remind colleagues, friends, family and constituents that they can easily respond from home through the mail, computer, smart phone or regular voice phone. The following link can monitor how the parish and the municipalities are responding as it is updated every day at 2 PM: https://2020census.gov/en/resonse-rates.html."

Item 2 in Mr. LaGrange's report stated, "A Notice of Grant Award has been forwarded by Senator Cassidy's office advising that St. Mary Parish has been awarded a grant in the amount of \$30,000 through the CARES Act for the Harry P. Williams Memorial Airport to provide economic relief funds for any purpose for which airport revenue may be lawfully used. A grant offer will be issued for this grant to be finally formulated in the near future."

Item 3 in Mr. LaGrange's report stated, "Patti Holland, TECHE Project, has written to provide an update on the TECHE Project Paddle Trail along Bayou Teche, more specifically the proposed trail dock at Schwan Park. An informational Kiosk will be installed this week and it is anticipated that a floating access dock will be fabricated and installed this fall for use by visitors traveling the Paddle Trail."

In response to Mr. Ina's inquiry, Mr. LaGrange stated that the Prairie Road Project is out for bid and that St. Joseph Road, Irish Bend Road, Baldwin, Charenton, and Four Corners area projects are on schedule.

In response to Mr. Adams' inquiry relative to the Consolidated Gravity Drainage District No. 2's proposed drainage project along LA 70, Mr. LaGrange stated that plans and specifications will be prepared and the project will be prepared for bid.

Planning & Zoning Director, Tammy Luke, presented the following items as recommended by the Planning & Zoning Commission at their May 18, 2020 Regular Meeting:

## a. Preliminary & Final Subdivision/Development Approval

Name: Devin Persilver

Address: 115 Kelly Dr., Charenton, LA

Parcel Id# Sec. 27 T13S R9E;

-Parcel Id# 2145021007.00-Lot 2 Thomas C Kelly Subd. being Tract "GFHIG" per Plat 19N 164825 Acq. 190 304529.

Zoned: Single Family Residential (SR) Zoned District

PURPOSE: as shown on a plat titled "Plan of Land showing Lot 2 of the Thomas D. Kelly Subdivision to be Subdivided into Lots 2-A, 2-B, & 2-C situated in Section 27, T13S-R9E, St. Mary Parish, Louisiana Southwestern Land District; as prepared by Miller Engineers & Associates, Inc.; Dwg. # 14506, dated April 16, 2020."

## b. Recommend Rezoning

Name: Brenda Pitts

Address: 951 Prairie Rd. N., Centerville, LA

Parcel Id# Sec. 48 T15S R10E;

-Parcel Id# 2534481079.00 & 2534481080.00 -

Parcel Id# 2534481079.00 Lot por Tract "FGBCHEF" per Plat 164 301107

situated in Sec 48 T15S R10E Acq. 377 331317.

Parcel Id#2534481080.00 Lot por Tract "FGBCHEF" per Plat 164 301107 situated

in Sec 49 T15S R10E Acq. 377 331317

PURPOSE: to rezone from Light Industrial (LI) Zoned District to Single Family Residential (SR) Zoned District to construct a home.

#### c. Recommend Rezoning

Name: June Ann Luke

Address: 479 Hwy. 317, Centerville, LA

Parcel Id# Sec. 37 T15S R10E; -Parcel Id# 2474541017.00 -

Lot 5-E Diane Luke Nugent et al Part per Drawing 6661 Plat 27H 206574 Acq. 27H 206574.

PURPOSE: to rezone from Existing Neighborhood (EN2) Zoned District to General Commercial (GC) Zoned District.

Mr. Olander moved that Preliminary & Final Subdivision/Development Approval be granted for:

Name: Devin Persilver

Address: 115 Kelly Dr., Charenton, LA

Parcel Id# Sec. 27 T13S R9E;

-Parcel Id# 2145021007.00-Lot 2 Thomas C Kelly Subd being Tract "GFHIG" per Plat 19N 164825 Acq. 190 304529.

Zoned: Single Family Residential (SR) Zoned District

PURPOSE: as shown on a plat titled "Plan of Land showing Lot 2 of the Thomas D. Kelly Subdivision to be Subdivided into Lots 2-A, 2-B, & 2-C situated in Section 27, T13S-R9E, St. Mary Parish, Louisiana Southwestern Land District; as prepared by Miller Engineers & Associates, Inc.; Dwg. # 14506, dated April 16, 2020."

Mr. Hebert seconded the motion, which carried.

Mr. Olander recommended Rezoning for:

Name: Brenda Pitts

Address: 951 Prairie Rd. N., Centerville, LA

Parcel Id# Sec. 48 T15S R10E;

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Parcel Id#2534481080.00 Lot por Tract "FGBCHEF" per Plat 164 301107 situated

in Sec 49 T15S R10E Acq. 377 331317

PURPOSE: to rezone from Light Industrial (LI) Zoned District to Single Family Residential (SR) Zoned District to construct a home.

Mr. Hebert seconded the motion, which carried.

Mr. Olander recommended Rezoning for:

Name: June Ann Luke

Address: 479 Hwy. 317, Centerville, LA

Parcel Id# Sec. 37 T15S R10E;

-Parcel Id# 2474541017.00 -

Lot 5-E Diane Luke Nugent et al Part per Drawing 6661 Plat 27H 206574 Acq. 27H 206574.

PURPOSE: to rezone from Existing Neighborhood (EN2) Zoned District to General Commercial (GC) Zoned District.

Mr. Hebert seconded the motion, which carried.

Mr. Hebert moved that the Public Hearing Report, May 13, 2020 be approved. Mr. Bennett seconded the motion, which carried.

Mr. In aintroduced the following ordinances:

#### ORDINANCE NO.

An Ordinance in compliance with Ordinance No. 1973, Chapter 5 Procedures, Division 5.4 General Procedures for Public Hearing, Section 5.4.2 Rezonings (Zoning Map Amendments).

**WHEREAS,** on March 12<sup>th</sup>, 2014, the St. Mary Parish Council adopted Ordinance No. 1973 – St. Mary Parish Unified Development Code, and

**WHEREAS,** Chapter 5 Procedures, Division 5.4 General Procedures for Public Hearing, Section 5.4.2 Rezonings (Zoning Map Amendments) provides a process for the official zoning district map to be amended, and

**THEREFORE, BE IT ORDAINED** by the Parish Council of the Parish of St. Mary, State of Louisiana, acting as the governing authority of the Parish of St. Mary, State of Louisiana:

**SECTION I** - That certain tract of land described in Exhibit "A" is hereby rezoned from the current zoning of Light Industrial (LI) Zoned District to Single Family Residential (SR) Zoned District.

This ordinance shall become effective and be in full force upon publication in the official journal of the Parish.

This ordinance having been offered and read on this the 27<sup>th</sup> day of May 2020; having been published in accordance with law.

**EXHIBIT "A"** 

Name: Brenda Pitts

Address: 951 Prairie Rd. N., Centerville, LA

Parcel Id# Sec. 48 T15S R10E:

-Parcel Id# 2534481079.00 & 2534481080.00 -

Parcel Id# 2534481079.00 Lot por Tract "FGBCHEF" per Plat 164 301107 situated in Sec 48 T15S R10E Acq. 377 331317.

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**SECTION I** - That certain tract of land described in Exhibit "A" is hereby rezoned from the current zoning of Existing Neighborhood (EN2) Zoned District to General Commercial (GC) Zoned District.

This ordinance shall become effective and be in full force upon publication in the official journal of the Parish.

This ordinance having been offered and read on this the 27<sup>th</sup> day of May 2020; having been published in accordance with law.

**EXHIBIT "A"** 

Name: June Ann Luke

Address: 479 Hwy. 317, Centerville, LA

Parcel Id# Sec. 37 T15S R10E; -Parcel Id# 2474541017.00 -

Lot 5-E Diane Luke Nugent et al Part per Drawing 6661 Plat 27H 206574 Acq. 27H 206574.

PURPOSE: to rezone from Existing Neighborhood (EN2) Zoned District to General Commercial (GC) Zoned District.

## ORDINANCE NO.

An Ordinance creating a No-Wake Zone on Bayou Teche within one thousand five hundred feet upstream of the Katy Bridge and providing penalty for the violation thereof.

**BE IT ORDAINED** by the St. Mary Parish Council, on behalf of the St. Mary Parish Government, that the following be enacted:

**SECTION 1.** A no-wake zone is hereby designated along the on Bayou Teche within one thousand five hundred feet (1,500') upstream of the Katy Bridge within which no person shall operate a motorboat, motor vessel, or recreational watercraft (hereinafter sometimes designated as "vessels" or "watercraft") as follows:

- A. No person shall operate, cause to be operated, or permit to be operated, any motorboat, motor vessel, or recreational watercraft in such a manner or at such speed as may or shall create a wake from such operation. The term "wake" shall mean any vessel water turbulence in excess of six inches (6") in wave height crest.
- B. Notwithstanding any other provision to the contrary, in no event shall the speed of a motorboat, motor vessel, or recreational watercraft exceed five (5) miles per hour.
- C. Waterskiing, jet skiing, and/or similar activities shall not occur in the designated no-wake zone.
- D. Appropriate signs shall be erected along the Charenton Drainage Canal. Any watercraft traveling on this canal shall respect the signs erected. Notwithstanding the provisions of this subsection, lack of such a sign shall not operate as a defense as to the application and enforcement of this Ordinance.

- E. This Ordinance shall not apply in instances where vessels are in navigational distress and power is essential for the proper control of the vessel in navigation for its safety and the safety of others or the safety of structures.
- F. For the purposes of this section, the registered owner of any such vessel or watercraft shall be presumed to be the operator of said vessel at the time the violation occurs.
- G. The Sheriff of St. Mary Parish and the State of Louisiana Department of Wildlife and Fisheries are hereby specifically requested and authorized to assist in the enforcement of the provisions of this section.

**SECTION 2.** Any person who violates the provisions of this Ordinance shall, upon conviction thereof, be punished by imprisonment in the St. Mary Parish Law Enforcement Center for a period of not more than thirty (30) days or a fine of not more than five hundred dollars (\$500.00) or by both such imprisonment and fine, at the discretion of the court. A second time offender will also have to attend a mandatory safe boating class.

**SECTION 3.** Any Ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

This ordinance shall become effective and be in full force upon publication in the official journal of the Parish.

This ordinance having been offered and read on this the 27<sup>th</sup> day of May 2020; having been published in accordance with law.

## ORDINANCE NO.

An ordinance amending Ordinance No. 2216 adopted on April 22, 2020, by the Parish Council of the Parish of St. Mary, State of Louisiana, to provide for various terms of the creation of the Consolidated Gravity Drainage District No. 2A of the Parish of St. Mary, State of Louisiana authorized therein and providing for other matters in connection therewith.

WHEREAS, by Ordinance No. 2216 (the "Ordinance"), adopted on April 22, 2020, the Parish Council of the Parish of St. Mary, State of Louisiana (the "Parish Council"), as governing authority of the Parish of St. Mary, State of Louisiana (the "Parish") creating Consolidated Gravity Drainage District No. 2A of the Parish of St. Mary, State of Louisiana (the "District"), describing the territory to compose the District and the proposed boundaries thereof, ordering and directing the publication of a notice of intention to create said District, and providing for the hearing of any and all objections to the creation thereof; and

**WHEREAS**, the Parish Council now desires to amend the Ordinance, specifically the language contained in Section 5 and Section 6 thereof, to provide with respect to the use of funds in and for the District; and

**WHEREAS**, capitalized terms used but not defined herein shall have the meaning given such terms in the Ordinance;

**NOW, THEREFORE, BE IT ORDAINED** by the Parish Council, acting as the governing authority of the Parish, that:

SECTION 1. <u>Amendment of the Ordinance</u>. Sections 5 and 6 of the Ordinance are hereby expressly replaced in their entirety with the following:

SECTION 5. CGDD2 and GDD6 shall continue in existence. Any existing taxes and service charges of both CGDD2 and GDD6 will remain in effect and continue to be collected. Such taxes and service charges or any other revenues heretofore or hereafter received by either CGDD2 or GDD6 shall be paid to the District and administered by the Board; however, the Board shall allocate all of the revenues from the existing taxes and service charges to the specific districts from which said revenues were derived. Notwithstanding the foregoing, any taxes levied by CGDD2 to pay general obligation bond debt service shall continue to be paid to CGDD2 and deposited in the sinking fund or funds established and maintained pursuant to the resolutions of CGDD2 issuing such general obligation bonds.

Additionally, any existing contracts of GDD6 and CGDD2 will remain in effect and continue to be performed. All contracts of GDD6 and CGDD2 that may be assigned shall be assigned to the District, and all contracts of GDD6 and CGDD2 that by specific terms therein or operation of law may not be assigned shall continue to be performed by the entity that entered into the original contract with the oversight and control of the Board.

SECTION 6. The entire proceeds of all funds collected or otherwise received by the District shall be used by the Board for gravity drainage purposes within the District as permitted pursuant to the Act. Any bond proceeds or revenues received pursuant to any grants or subject to any restrictions shall be used and accounted for in accordance with any applicable restrictions.

All funds received shall be promptly deposited in bank account(s) established and maintained with the regularly designated fiscal agent of the District, provided, however, any amount which is paid under protest or which is subject to litigation may be transferred to a separate account established by the Board pending the final determination of the protest or litigation.

SECTION 3. <u>Effect of this Amending Ordinance</u>. The Ordinance shall remain in full force and effect except as otherwise amended herein. Such amendments shall be effective as if initially contained in the Ordinance.

SECTION 4. <u>Effective Date</u>. This Amending Ordinance shall be in full force and effect immediately upon execution by the Parish President.

This Ordinance having been offered and read on this the 27<sup>th</sup> day of May, 2020; having been published in accordance with law.

Rev. Mathews moved that the following Resolutions be adopted. Mr. In a seconded the motion, which carried by the following 11-0-0-0 Roll Call vote:

YEAS: Mathews, Ina, Olander, Ramsey, Rulf, Hebert, Bennett, Duhon, Hidalgo, Rink, and Adams

NAYS: None

ABSTAIN:None

ABSENT: None

#### RESOLUTION

A Resolution authorizing David Hanagriff, the President to execute Maintenance Agreements with the Department of Transportation and Development Office of Engineering relative to Mowing and Litter Pickup for the Fiscal Year ending June 30, 2021.

**BE IT RESOLVED,** that David Hanagriff, President of the Parish of St. Mary, be and he is hereby authorized and directed, for and on behalf of the Parish Council, to execute Maintenance Agreements by and between the Department of Transportation and Development Office of Engineering, with said Maintenance Agreements to contain such terms, conditions and stipulations as he may best see fit, he being fully authorized in the premises.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this 27<sup>th</sup> day of May 2020.

	APPROVED:
ATTEST:	DEAN S. ADAMS, CHAIRMAN ST. MARY PARISH COUNCIL
LISA C. MORGAN, CLERK ST. MARY PARISH COUNCIL	
	RESOLUTION
Mary to execute a co	ing David Hanagriff, the President of the Parish of St. ontract with Partin Roofing, LLC relative to the Reg, and Associated Work at Fairview Treatment Center
hereby authorized and directed, for a Partin Roofing, LLC, 7516 Bluebonn the Re-Roofing, Waterproofing, and	vid Hanagriff, President of the Parish of St. Mary, be and he is and on behalf of the Parish Council, to execute a contract with net Boulevard #436, Baton Rouge, Louisiana 70810, relative to Associated Work at Fairview Treatment Center Project, with onditions, and stipulations as he may best see fit, he being fully
<b>ADOPTED AND APPROVE</b> on this the 27 <sup>th</sup> day of May 2020.	ED by the St. Mary Parish Council in regular session convened
	APPROVED:
	DEAN S. ADAMS, CHAIRMAN ST. MARY PARISH COUNCIL
ATTEST:	
LISA C. MORGAN, CLERK ST. MARY PARISH COUNCIL	

#### **RESOLUTION**

A Resolution authorizing David Hanagriff, the President of the Parish of St. Mary to execute a contract with Highway Graphics, LLC relative to the Thermoplastic Pavement Striping of Irish Bend Road Project.

**BE IT RESOLVED,** that David Hanagriff, President of the Parish of St. Mary, be and he is hereby authorized and directed, for and on behalf of the Parish Council, to execute a contract with Highway Graphics, LLC, 660 Well Road, Monroe, Louisiana 71292, relative to the Thermoplastic Pavement Striping of Irish Bend Road Project, with said contract to contain such terms, conditions, and stipulations as he may best see fit, he being fully authorized in the premises.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 27<sup>th</sup> day of May 2020.

APPROVED:
DEAN S. ADAMS, CHAIRMAN
ST. MARY PARISH COUNCIL

Item 12D, "Resolution authorizing Parish President to execute Change Order No. 3 with Glenn Lege Construction, LLC relative to 2019 Asphaltic Concrete Roadway Improvements within the Four Corners, Ashton, & Cypremort Point Communities," was withdrawn.

Item 12E, "Resolution authorizing the Parish President to execute a Certificate of Substantial Completion relative to 2019 Asphaltic Concrete Roadway Improvements within the Four Corners, Ashton, & Cypremort Point Communities," was withdrawn.

In response to Rev. Mathews' inquiry, Mr. LaGrange stated that Items 12D and 12E were withdrawn due to additional drainage work that is pending.

#### **OLD BUSINESS:**

A. Referred from the May 13, 2020 Regular Meeting – Appointments to the following Boards and Commissions:

Fire Protection District No. 2 (Centerville area) – 3 Vacancies

John Higdon – Present Member
Ulysses Knight, Jr. – Present Member
Larry J. LeBlanc – Present Member

Mr. Olander moved to reappoint John Higdon, Ulysses Knight, Jr., and Larry J. LeBlanc to Fire Protection District No. 2. Mr. Hebert seconded the motion, which carried.

## **NEW BUSINESS:**

- A. We received the following financial statements:
  - St. Mary Parish Consolidated Gravity Drainage District No. 2 year ended September 30, 2019.

## B. Appointments to the following Boards and Commissions:

# Consolidated Gravity Drainage District No. 2A – (Morgan City/Amelia area) – 5 Vacancies

Genie G. Bonner Andros A. Williams Mark E. Griffin, Jr. Chris LaRocca Nick Morris Dr. Tim J. Tregle Glen A. Swain Charlie Solar, Jr. Sidney Michel III Leroy Trim Harry K. Hoffpauir Michael Adams Larry J. Aucoin Jory Champagne Lee Dragna

John DuBois Sam Grizzaffi

Clerk of the Council, Lisa C. Morgan informed that all applicants are registered voters and property owners of St. Mary Parish.

Mr. Bennett moved to appoint Leroy Trim, Larry J. Aucoin, Charlie Solar, Jr., Harry K. Hoffpauir, and Dr. Tim J. Tregle to Consolidated Gravity Drainage District No. 2A. Mr. Duhon seconded the motion.

Amended motion was made by Mrs. Hidalgo and seconded by Dr. Rink to appoint Leroy Trim, Larry J. Aucoin, Charlie Solar, Jr., Harry K. Hoffpauir, and Glen A. Swain to Consolidated Gravity Drainage District No. 2A.

Dr. Rink suggested that each Council Member nominate five applicants, tally those votes, and appoint the top five majority votes.

In response to Mr. Bennett's inquiry relative to Dr. Rink's suggestion, Legal Counsel, Eric Duplantis stated that the substitute motion is improper. However, a roll call vote on the amended motion can be made.

The amended motion failed by the following 3-8-0-0 Roll Call Vote:

YEAS: Hidalgo, Rink, and Adams

NAYS: Ina, Olander, Ramsey, Rulf, Hebert, Bennett, Duhon, and Mathews

ABSTAIN: None

ABSENT: None

Mr. Bennett moved to appoint Leroy Trim, Larry J. Aucoin, Charlie Solar, Jr., Harry K. Hoffpauir, and Dr. Tim J. Tregle to Consolidated Gravity Drainage District No. 2A. Mr. Duhon seconded the motion, which carried by the following 9-2-0-0 Roll Call Vote:

YEAS: Olander, Ramsey, Rulf, Hebert, Bennett, Duhon, Adams, Mathews, and Ina

NAYS: Hidalgo and Rink

ABSTAIN: None

ABSENT: None

## Drainage District No. 6 (Amelia area) – 1 Vacancy

Nick Morris – Present Member John Mark Cox Phong Nguyen Theodore P. Bailey

Mr. Duhon moved to appoint Theodore P. Bailey to Drainage District No. 6. Mr. Hebert seconded the motion, which carried. Dr. Rink voted No.

# Fire Protection District No. 3 (Amelia area) – 1 Vacancy

John Mark Cox

Phong Nguyen

Mr. Duhon moved to appoint John Mark Cox to Fire Protection District No. 3. Mr. Hebert seconded the motion, which carried.

# Recreation District No. 5 (Four Corners, Sorrell & Glencoe) – 1 Vacancy

Felicia Jolivette – Present Member

Rev. Mathews moved to reappoint Felicia Jolivette to Recreation District No. 5. Mr. Ina seconded the motion, which carried.

There being no further business, Dr. Rink moved for adjournment. Mr. Bennett seconded the motion, which carried.

isa C. Morgan, Clerk	Dean S. Adams, Chairman	